

Service Date: December 1, 1998

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

ORDER ON RECONSIDERATION

IN THE MATTER OF Tomm Furcht dba
Classic Airport Limousine, Missoula,
Montana, Application for a Montana
Intrastate Certificate of Public
Convenience and Necessity.

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Docket No. T-98.25.PCN

Order No. 6454A

1. On November 16, 1998 the Montana Public Service Commission issued Final Order No. 6454 in the above docket allowing for the following: Class B - Passengers between all points and places within a thirty-five (35) mile radius of Missoula, Montana. LIMITATIONS: 1) All transportation movements must originate or terminate at a recognized airport facility. 2) Transportation movements in Ravalli County are prohibited. 3) Transportation movements will be charged on a per person fare. 4) Transportation of more than six (6) passengers per vehicle is prohibited. 5) Transportation in limousine service is prohibited. 6) Transportation services utilizing a "stretch limousine" are prohibited. 7) Use of the words "Limousine" or "Limo" in the name of the business is prohibited.

2. On November 20, 1998, Paul Cooley, attorney for protestant Valet Limousine, Inc., notified this Commission through a Motion that a limitation, restricting against advertising under the limousine section of the yellow pages of the telephone directory, stipulated to by the parties at hearing had been left off the grant of authority.

3. Applicant responded questioning the Commission's jurisdiction over this type of limitation.

4. The Commission has jurisdiction over this matter as it was stipulated to by the parties at hearing.

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Monday, the 30th day of November, there being present a quorum of Commissioners, there came regularly
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before the Commission for action on reconsideration the matters and things in Docket No. T-98.25.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Tomm Furcht dba Classic Airport Sedans, Missoula, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers between all points and places within a thirty-five (35) mile radius of Missoula, Montana. LIMITATIONS: 1) All transportation movements must originate or terminate at a recognized airport facility. 2) Transportation movements in Ravalli County are prohibited. 3) Transportation movements will be charged on a per person fare. 4) Transportation of more than six (6) passengers per vehicle is prohibited. 5) Transportation in limousine service is prohibited. 6) Transportation

services utilizing a "stretch limousine" are prohibited. 7) Use of the words "Limousine" or "Limo" in the name of the business is prohibited. 8) Advertising under the limousine or "limo" section of the yellow pages is prohibited.

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

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THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 30th day of November, 1998, by a vote of 4 - 0. BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

BOB ROWE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Ann Purcell
Acting Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Order on Reconsideration issued in Docket T-98.25.PCN in the matter of Tomm Furcht dba Classic Airport Sedans, Missoula, Montana has today been sent to all parties listed.

MAILING DATE: December 1, 1998

FOR THE COMMISSION

FIRST CLASS MAIL

Tomm Furcht
dba Classic Airport Sedans
11005 Grant Creek Road
Missoula, MT 59808

Valet Limousine, Inc.
3820 South Third West
Missoula, MT 59801

Jones Brothers Trucking, Inc.
dba Executive Limousine Service
7145 Hwy 10 West
Missoula, MT 59802

Victor I. Pizzola
dba Valley Taxi
361 Rummel Lane
Hamilton, MT 59840

Duane & Debbie Bartlett
dba Camelot Limousine Service
1955 Hummingbird Drive
Missoula, MT 59808

Paul Cooley
Skelton & Cooley
Attorneys at Law
412 Alder
Missoula, MT 59802

AS ITS INTERESTS MAY APPEAR:

Montana Consumer Counsel
616 Helena Avenue
P.O. Box 201703
Helena, MT 59620-1703